

AMERICAN FORK CITY COUNCIL
FEBRUARY 9, 2016
REGULAR SESSION MINUTES

Members Present:	James H. Hadfield	Mayor
	Kevin Barnes	Councilman
	Carlton Bowen	Councilman
	Brad Frost	Councilman
	Rob Shelton	Councilman
	Jeff Shorter	Councilman
Members Absent:	None	
Staff Present:	Craig Whitehead	City Administrator
	Nestor Gallo	Engineer
	Richard Colborn	City Recorder
	Terilyn Lurker	Deputy Recorder
	Cathy Jensen	Finance Officer
	Kriss Garcia	Fire Chief
	George Schade	IT Director
	Kasey Wright	Legal Counsel
	Derric Rykert	Parks and Recreation Director
	Lance Call	Police Chief
	Audra Sorensen	Public Relations/Economic Development
	Dale Goodman	Public Works Director
	Wendelin Knobloch	Associate Planner
Also present:	John Woffinden	Planning Commission Chairman
	Chad Black	
	Shaun Alldredge	Legend Solar
	Barbara Christiansen	Press
	Doug Smith	
	Kelly Dahl	
	Clark Taylor	
	Ken Berg	
	Allen Simpson	
	Mike Bigelow	Historical Committee
	22 additional persons	

REGULAR SESSION

The American Fork City Council met in regular session on Tuesday, February 9, 2016, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE; PRAYER BY KASEY WRIGHT; ROLL CALL.

Mayor Hadfield led the audience in the Pledge of Allegiance and Kasey Wright offered a prayer.

2. PRESENTATION BY LEGEND SOLAR (Requested by Craig Whitehead, Administration)

Mayor Hadfield invited Legend Solar to the front along with Derric Rykert.

Shaun Alldredge, one of two co-founders and owners of Legend Solar explained they started in St. George in 2010. They have been able to grow the business and expand into northern Utah with three offices and were expanding into other states. He thanked American Fork for being a “Solar Friendly City” with the Solar 101 program through the Utah Solar Energy Association. A plaque was presented to the City. They had seen a spike in solar installation in the past few months.

Mr. Alldredge continued that through Derric Rykert they were donating a large tree at the Art Dye Park at the round-a-bout entrance as a gift to American Fork City for their efforts in Solar.

Mayor Hadfield expressed appreciation for their contribution. There was general applause.

3. TWENTY-MINUTE PUBLIC COMMENT PERIOD - LIMITED TO TWO MINUTES PER PERSON.

Mayor Hadfield invited the Scouts to come forward and introduce themselves.

<u>Troop 827</u>	Callen Gunther Michael Warner Stephen Cannon	Ethan Brown Nathan Warner	Mitchell Moss Chase Spencer
<u>Troop 859</u>	Scott Anderson		
<u>Troop 935</u>	Colton Black	Josh Keetch	
<u>Troop 1153</u>	Crew Stark McKay Miner Carstan Olds	Josh Shelley Christian Georgeson Cooper Anderson	Cache Ago Michael Fambrouge

Mayor Hadfield explained that their names would appear in the minutes of tonight’s meeting. He wished them well as they went along Scouting’s trail and added that when it was time for an Eagle Project, American Fork had many worthwhile opportunities available.

Ms. Kelly Dahl explained that she was representing Columbia Village residents many of whom were in attendance. This neighborhood butted up against the eastside of Doug Smith Autoplex. There were approximately 80 children in the neighborhood, some with special needs living on Roosevelt Avenue. They had some concerns expressed at a previous meeting and she brought them up again.

- They would love to have a 9-foot block privacy fence in between Doug Smith and Roosevelt Avenue and separate the business from their neighborhood.

- They would like to see direct lighting as opposed to flood lighting that could be dimmed after 9:00 p.m. if at all possible
- No exits or entrances on to Roosevelt Avenue associated with the car dealership. They did not want to have commercial traffic come through their neighborhood. They have had issues with after-hours patrons parking on Roosevelt.

Ms. Dahl concluded that if those three things could be met it would allow Doug Smith Autoplex to perform as a professional looking business without their neighborhood as its backdrop. In return it would allow their neighborhood to continue to function as a neighborhood.

Mayor Hadfield asked if those comments were made before the Planning Commission.

Ms. Dahl answered that they were.

Mayor Hadfield noted that a 9-foot fence was way beyond what the City Ordinances allowed.

Ms. Dahl gave an example of the fence by Bio-Fence out near 900 West. She thought it to be an 8-foot fence.

Mayor Hadfield asked if there were any other comments. There were none.

4. CITY ADMINISTRATOR'S REPORT

Mr. Whitehead had nothing to report at this time.

5. COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Barnes had nothing to report at this time.

Councilman Bowen had several items to report. He attended Pancakes and Politics this past Saturday that was hosted by the American Fork Chamber of Commerce. There were several State Representatives there and a State Senator and a member of the State School Board.

Councilman Bowen reported that one of the issues that came up was Conceal Carry with no permit required. It passed a few years ago and then was vetoed by the Governor with the City supporting the veto. Both Representatives from American Fork City stated that they would vote for the Conceal Carry Bill and also stated that they would vote to override a veto by the Governor. He thought that was really important in the times we live in. He recited a story about a doctor being confronted by a gunman in a medical facility. The Dr. was armed even though it was against policy and was able to stop the individual, because there was one person armed, it made all the difference and was able to protect life. He hoped that the City would not lobby against this. A few years ago the Chief of Police for American Fork City sent a letter to the Governor urging him to veto a Conceal Carry. He thought that if the City was going to take a stand on a political issue like this it would be appropriate for the City Council to have a vote in a regular session, like tonight, on what the City's policy exactly was. Otherwise, it looked like that person

was representing the City which was not the case.

Councilman Bowen stated that a week ago there was a special work session with Snowbird in attendance regarding water quality. He thought that they all wanted to ensure our water quality was not negatively impacted. He did not see any concern in the information that was presented. The experts testified that it looked like there would not be an impact. At a subsequent meeting of the Utah County Board of Adjustment the City raised concerns again about the water supply. His advice would be that if the City was going to take a stand on this issue not to try to get the Federal Government involved rather get our State Officials involved. He thought they had very confident State Water Officials who want to ensure that our water supply was safe, just like we do. He thought that would be a much better approach. The EPA has mismanaged as was the case with Gold King Mine spill into the Animas River in Colorado. Why would we want to bring them on board?

Councilman Bowen reported that he was recently appointed to be the liaison with Veterans Organizations. He was happy to attend the American Legion meeting. He also was able to see the Historic Veterans Hall and the pictures and mementos that were there.

Councilman Bowen attended the Parks and Recreation Committee. They are trying to address the parking needs at the Rec Center and at Quail Cove.

Councilman Frost said to Councilman Bowen who was not at that Board of Adjustment meeting, the very State organization that American Fork City looked to for oversight was the very one that compromised the whole thing. It might be in order before one started throwing out facts to understand that it was the DWQ (Division of Water Quality) and their employee that misrepresented things. He thought they needed to look at the DWQ, but when it came to water quality, they would look anywhere. He would not be limited to anything.

Councilman Frost mentioned that when he saw the young men file up one by one, and there was quite a group, he paid tribute to their leaders for their sacrifices for campouts and other things. One of the leaders he knew well and that was Ryan Gunther. He had the opportunity to work with Ryan and he was his neighbor for a long time. There was something that he always appreciated about Ryan and that was when he called Ryan on the phone and asked how he was doing, Ryan would reply, "I am happy." He thanked the Scouts and their Leaders for their attendance.

Councilman Shelton reported on February 3rd the Chamber of Commerce held their Annual Awards Banquet where they also swore in new Officers and Board Members. They also recognized some of the outstanding businesses and Community Heroes. He was not able to attend but understood from the Mayor that it was a very successful event.

Councilman Shelton reported that the Steel Days Committee was going well but they were looking for more volunteers. It was amazing at how much work was needed to make Steel Days successful.

Councilman Shelton reported that he attended the Utah County Board of Adjustment in regard to Snowbird and water quality. This was his second time attending. The first was

in January. After considerable time it was decided to provide a 60-day window to try and work some things out. He was very disappointed with the Division of Water Quality. He called the Governor's Office and filed an official complaint with them. They had individuals that represented themselves at the meeting and were employees of Snowbird as well. He encouraged Councilman Bowen to take a little further look into those issues. Our water quality was something that could not be jeopardized. He stood with Councilman Frost and the Resolution this Council passed last June.

Councilman Shorter reported on the concert to be put on this Friday by the Timpanogos Arts Foundation for couples for Valentine's Day at the City Hall beginning at 7:00 p.m. Donations would be accepted.

Councilman Shorter reported that ten members from the Youth Council attended the Local Officials Day at the Legislature. They were still accepting members. He gave a shout out to Randy Lish for his work with the youth. It was great to have volunteers. He also recognized Representative Kay Christofferson who gave the youth a behind the scenes look.

6. MAYOR'S REPORT

Mayor Hadfield noted that he was in another meeting on Thursday. That Board of Adjustment meeting went on for 4½ hours. An article was prepared for last Sunday's Daily Herald. For some people he was a hero and for some he had a target on his chest. He hoped that those that were friendly were better shots than those that were enemies.

Mayor Hadfield had concerns for the water that came out of American Fork Canyon. American Fork has several springs and collection boxes in American Fork Canyon as far up as the Cave Camp. The City received about 60 percent of its drinking water from those sources. It was very good water and he did not want to see that water contaminated. In the area out of the mouth of the Canyon there was a diversion dam. The water that gathered there recharged the aquifer by settling through the gravels. American Fork City had eight wells in that aquifer and there were a total of 200,000 people that received their drinking water by such wells in seven communities.

Mayor Hadfield mentioned that Councilman Frost reported that the Division of Water Quality had a spokesman at that meeting that was championing Snowbird. He made a call today to the Division Director and he was doing an investigation based on a report he received Friday. They had transcripts of the meeting and he expected an apology in writing from that office in the next couple of weeks and he thought they would have the matter straightened out as they moved forward in resolving our differences with Snowbird before the Board of Adjustment and before Snowbird was granted any permits to move into Mary Ellen Gulch and those sensitive lands. His water concerns come from the tailings that were up there that were in the open.

COMMON CONSENT AGENDA

1. Approval of the January 21, 2016 work session minutes
2. Approval of the January 26, 2016 City Council minutes.

3. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000.
4. Consideration regarding authorization to release the Improvements Construction Guarantee in the amount of \$60,326.87 and Issue a Notice of Acceptance for the Bonneville Vista Townhomes, Plats A & B at 990 East 50 South. (Requested by Dale Goodman, Public Works)

Mayor Hadfield mentioned that Bonneville Vista Townhomes, Plats A & B had been completed for some time. Their one year durability period was behind them now and that was the reason for releasing the bond. Plats C & D were still under construction and the City still had bond money for those improvements.

Councilman Bowen asked to move Item 4, Bonneville Vista Townhomes, to the action items agenda.

Mayor Hadfield moved that item to the action items. He called for a motion to approve Common Consent items 1, 2, & 3.

**Councilman Shelton moved approval of Common Consent items 1, 2, & 3.
Councilman Frost seconded the motion.**

RESULT:	ADOPTED [4 TO 1]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen

ACTION ITEMS

(From Common Consent Agenda No. 4) CONSIDERATION REGARDING AUTHORIZATION TO RELEASE THE IMPROVEMENTS CONSTRUCTION GUARANTEE IN THE AMOUNT OF \$60,326.87 AND ISSUE A NOTICE OF ACCEPTANCE FOR THE BONNEVILLE VISTA TOWNHOMES, PLATS A & B AT 990 EAST 50 SOUTH (Requested by Dale Goodman, Public Works)

Councilman Frost moved to approve the bond release. Councilman Shelton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

1. REVIEW AND ACTION ON AWARD OF A BID FOR THE 2015-2016 SEWER REHABILITATION PROJECT (Requested by Dale Goodman, Public Works)

Dale Goodman explained that they had been pursuing this project for some time. This was installing a new liner in the sewer pipe that added 50 to 75 years to the life of that pipe. It was a very good process. They will be working on 100 East from 200 South to

300 North in preparation of UDOT doing improvements on 100 East in 2018. The successful contractor was Insituform Technologies LLC who has done a great job for the City in the past. Upon approval they would begin the project on March 1 and it was expected to last 4 months.

Councilman Shorter moved to accept the bid submitted by Insituform Technologies LLC for the construction of the 2015-2016 Sewer Rehabilitation Project in the amount of \$157,910.00, and authorize staff to proceed with the preparation of contract documents. Councilman Bowen seconded the motion.

Councilman Bowen asked if this type of process done in the past had been holding up pretty well.

Mr. Goodman responded that they had been doing it for about 10 years.

Mayor Hadfield noted one failure during that time and that was due to high levels of infiltration and high water table.

Mr. Goodman further explained that the liner was never able to be cured. They had to use a separate method of curing, ultraviolet light.

Councilman Bowen stated that the City had used this contractor before and he received the bid not because of that but they were the low bidder.

Councilman Frost asked if this line had been televised.

Mr. Goodman responded that American Fork was probably the only City in the state that actually televised every foot of pipe every year. They then go after those areas that had infiltration problems.

Mayor Hadfield reported that TSSD put a sewer rate increase on the books the first of August of last year and because the City has been successful in eliminating infiltration its sewer bill has gone down and therefore the City did not pass that sewer increase on to the residents. There was 114 miles of sewer pipe in the City. Good work pays off sometimes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Carlton Bowen, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

- REVIEW AND ACTION ON A RESOLUTION APPROVING A LAND USE MAP AMENDMENT FROM THE RESIDENTIAL MEDIUM DENSITY DESIGNATION TO THE DESIGN COMMERCIAL DESIGNATION FOR THREE LOTS LOCATED AT 36 SOUTH, 44 SOUTH, AND 52 SOUTH ROOSEVELT AVE (Requested by Adam Olsen, Planning)

In the absence of Adam Olsen, Wendelin Knobloch reported that the Planning Commission heard this item and recommended approval of the Resolution changing the

Land Use from residential to commercial. Neighbors were at the Planning Commission meeting and voiced the same concerns as was heard tonight. Mr. Doug Smith was present and there was good dialogue. Mr. Smith had stated that he could work with the neighbors when they came in for site plan approval. The Planning Commission conditioned their approval on fencing, lighting and road access.

Mayor Hadfield asked if there were any questions.

Councilman Frost moved to adopt Resolution No. 2016-02-04R approving a land use map amendment from the Residential Medium Density designation to the Design Commercial designation for three lots located at 36 South, 44 South, and 52 South Roosevelt Ave, with the condition that the Resolution will be made effective upon approval of a site plan addressing questions regarding (1) fencing, (2) lighting, and (3) road access as discussed by the Planning Commission at its January 20, 2016 regular session. Councilman Shorter seconded the motion.

Councilman Bowen commented that he heard some comment from the residents of Columbia Village prior to it going to the Planning Commission regarding their concerns. After reading the minutes it sounded like the business owner was not opposed to a higher fence, lighting, and access. He hoped that when the site plan came before the Council that it would be mutually acceptable and he expected that it would be.

Councilman Shelton noted the comment about a higher 8-foot fence over by the IFA property. That area had some significant elevation issues being on a hill and then coming down. In some cases it was a shorter fence and high in some other areas and depending which side of the fence you were on. It certainly was different than a piece of flat ground.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Jeff Shorter, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

3. REVIEW AND ACTION ON AN ORDINANCE APPROVING A ZONE MAP AMENDMENT FROM THE R-2 7,500 RESIDENTIAL ZONE TO THE SC-1 PLANNED SHOPPING CENTER ZONE FOR THREE LOTS LOCATED AT 36 SOUTH, 44 SOUTH, AND 52 SOUTH ROOSEVELT AVE (Requested by Adam Olsen, Planning)

Mayor Hadfield stated that this was a continuation of the previous item. He asked if there were any additional comments. There were none.

Councilman Shorter moved to adopt Ordinance No. 2016-02-04 approving a zone map amendment from the R2-7,500 Residential zone to the SC-1 Planned Shopping Center zone for three lots located at 36 South, 44 South, and 52 South Roosevelt Ave., with the condition that the Ordinance will be made effective upon approval of a site plan addressing questions regarding (1) fencing, (2) lighting, and (3) road access as discussed by the Planning Commission at its January 20, 2016 regular session. Councilman Shelton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

4. REVIEW AND ACTION ON SUBDIVISIONS, COMMERCIAL PROJECTS, CONDOMINIUMS, AND PUD’S INCLUDING 1) PLAT APPROVAL; 2) METHOD OF SATISFACTION OF WATER RIGHTS REQUIREMENTS; 3) POSTING OF AN IMPROVEMENT BOND OR SETTING OF A TIME FRAME FOR IMPROVEMENT INSTALLATION; AND 4) AUTHORIZATION TO SIGN THE FINAL PLAT AND ACCEPTANCE OF ALL DEDICATIONS TO THE PUBLIC AND TO HAVE THE PLAT RECORDED

- a. Review and action on an Ordinance approving a commercial site plan and final plat for American Fork Commercial Center Plat R, located at 240 North Meadow Lane, in the SC-1 Planned Shopping Center zone (Requested by Adam Olsen, Planning)

Ken Berg explained that this was another addition to the ever growing American Fork Commercial Center. This proposal was to build two buildings and prepare for future buildings on Lot 202 by installing utilities and parking so it was ready to go.

Mayor Hadfield noted that this site was north of Michaels Crafts and west of Kohl’s. He asked if there were any questions. There were none.

Councilman Shelton moved to adopt Ordinance No. 2016-02-05 approving a commercial site plan and final plat for American Fork Commercial Center Plat R, located at 240 North Meadow Lane, in the SC-1 Planned Shopping Center zone, with instructions to the City Recorder to withhold publication of the Ordinance subject to all conditions identified in the public record associated with the February 3, 2016 Planning Commission meeting. Councilman Bowen seconded the motion.

Councilman Bowen thought it was great that the area continued to grow. He wished them all the best.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Carlton Bowen, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

- b. Review and action on an Ordinance approving a commercial site plan for Timp Professional Industrial Park located at approximately 1300 South 500 East in the PI-1 (Planned Industrial) Zone (Requested by Adam Olsen, Planning)

Ken Berg explained that this was a proposed industrial park looking to serve the smaller to mid-size user. The site was bounded by the future Vineyard Collector and a new 500 East alignment. They have been working with UDOT for the best access which was probably along 500 East.

Councilman Shorter moved to adopt Ordinance No. 2016-02-06 approving a commercial site plan for Timp Professional Industrial Park located at approximately 1300 South 500 East in the PI-1 (Planned Industrial) zone with instructions to the City Recorder to withhold publication of the Ordinance subject to approval by UDOT and all conditions identified in the public record associated with the January 20, 2016 Planning Commission meeting. Councilman Shelton seconded the motion.

Mayor Hadfield asked if there were questions on the motion.

Councilman Barnes asked what if the Vineyard Connector did not happen or go where they did not think it would.

Ken Berg answered that UDOT already owned that property for the Vineyard Connector and it was expected that it would be constructed. If it was not constructed it would not affect this site plan.

Councilman Bowen added that this had some high ground water so industrial parks were a good use here. It was great to have a place where small businesses could locate.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

5. REVIEW AND ACTION ON THE APPOINTMENT OF CLARK TAYLOR TO THE FOX HOLLOW GOLF COURSE COMMITTEE *(Requested by Mayor Hadfield)*

Mayor Hadfield explained that this was a three-year appointment. Clark Taylor had been on the Fox Hollow Golf Course Committee as a Council representative. Mayor Hadfield appointed Clark Taylor as a resident of the community.

Councilman Shelton moved approval of the appointment of Clark Taylor to a three-year term as a community representative to the Fox Hollow Golf Course Committee. Councilman Frost seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

6. REVIEW AND ACTION ON A BOAT HARBOR AGREEMENT WITH THE STATE OF UTAH *(Requested by Derric Rykert, Parks and Recreation)*

Mayor Hadfield stated that this had been the subject of discussion at a recent work session. He asked if there were any questions regarding this item. There were none.

Councilman Shorter moved to authorize the Mayor to sign the contract with the

State of Utah Division of Natural Resources to accept a grant not to exceed \$218,642.34 for improvements at the boat harbor. Councilman Frost seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Barnes, Bowen, Frost, Shelton, Shorter

7. REVIEW AND ACTION ON A RESOLUTION UPDATING FITNESS CENTER AND CEMETERY FEES *(Requested by Derric Rykert, Parks and Recreation)*

Mayor Hadfield asked if there were any questions on this item that was discussion at last week's work session. There were none.

Councilman Frost moved to adopt Resolution No. 2016-02-05R approving the new fees as outlined for the Fitness Center and the Cemetery to take effect March 1, 2016. Councilman Shorter seconded the motion.

Mayor Hadfield asked if there were questions on this motion.

Councilman Bowen commented that his vision for the City was to have low taxes and fees. In this case the fees were going a little higher than surrounding cities. Then at some future point they would do a study and look at American Fork's fees and say they were higher. They all just sort of fed on the others. He felt it would be great if American Fork's fees were just a little bit lower than everyone else's.

RESULT:	APPROVED [4 TO 1]
MOVER:	Brad Frost, Councilman
SECONDER:	Jeff Shorter, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen

8. REVIEW AND ACTION ON THE APPROVAL OF THE UTAH CERTIFIED LOCAL GOVERNMENT GRANT APPLICATION 2016-2017 THAT HAS BEEN PREPARED BY THE CITY HISTORICAL PRESERVATION COMMISSION *(Requested by Richard Colborn, Recorder)*

Mayor Hadfield noted that this was discussed at the previous work session. He asked if there were any questions. There were none.

Councilman Shelton moved to approve the Utah Certified Local Government Grant Application 2016-2017 that has been prepared by the City Historical Preservation Commission.

Councilman Shelton appreciated their work and looked forward to the further digitization of the American Fork Citizen.

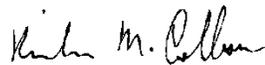
Mayor Hadfield thought this was money well spent.

Councilman Frost seconded the motion.

RESULT:	APPROVED [4 TO 1]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen

9. ADJOURNMENT

Councilman Shelton moved adjournment at 8:28 p.m. Councilman Frost seconded the motion. All were in favor.



Richard M. Colborn
City Recorder